

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
-----X

ANDRE ANTROBUS,

Petitioner,

- against -

**ORDER**

20-CV-6341 (KAM) (LB)

NYS DEPT OF CORR. & COMM.,  
*Supt. Parole Division in  
care of Rikers Island,*

Respondent.

-----X

KIYO A. MATSUMOTO, United States District Judge:

On December 21, 2020, *pro se* Petitioner, Andre Antrobus, then-detained at Rikers Island, filed this habeas corpus petition pursuant to 28 U.S.C. § 2254 challenging the revocation of his parole by the New York State Department of Corrections and Community Supervision. (See ECF No. 1, Petition for Writ of Habeas Corpus.) Because the petition failed to comply with Rule 2(c) of the Rules Governing § 2254 cases or to provide information that would allow the court to determine if the petition is timely or if Petitioner has exhausted his claims, by Order dated March 22, 2021, the court granted him forty-five days' leave to file an amended petition for a writ of habeas corpus under § 2254. (See ECF No. 5.) The order further stated that "[i]f Petitioner fails to comply with this order

within the time allowed, and cannot show good cause to excuse such failure, the petition will be dismissed without prejudice.”  
(*Id.*)

Petitioner has not filed an amended petition or otherwise responded to the Court’s order and the time for doing so has passed. Accordingly, the Petition is dismissed without prejudice. The Clerk of Court is directed to enter judgment and close this case. The Clerk of Court is further directed to mail a copy of this order to Petitioner<sup>1</sup> and to note the mailing on the docket.

---

<sup>1</sup> The Clerk of Court is respectfully requested to correct the court’s docket to reflect the fact that Petitioner was released from detention and is no longer at the Eric M. Taylor Center. The court reminds Petitioner that it is his responsibility to inform the court of his current mailing address, and because Petitioner has failed to do so, the Clerk of the Court is respectfully requested to send this Order to Petitioner at the following addresses: 1322 Bedford Avenue, Brooklyn, NY 11216 and 158 Martense Street, #1, Brooklyn, NY.

Because Petitioner has not at this time made a substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

                  /s/                    
Kiyo A. Matsumoto  
United States District Judge  
Eastern District of New York

Dated: Brooklyn, New York  
July 22, 2021